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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/044,291	01/10/2002	Timothy G. Nye	3014.1005-001	6857

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EXAMINER
TODD, GREGORY G

ART UNIT	PAPER NUMBER
2457	

MAIL DATE	DELIVERY MODE
10/28/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)
	10/044,291	NYE, TIMOTHY G.
	Examiner	Art Unit
	GREGORY G. TODD	2457

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *03 July 2008*.
2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.
3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *49-59* is/are pending in the application.
    4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5)☐ Claim(s) _____ is/are allowed.
6)☒ Claim(s) *49-59* is/are rejected.
7)☐ Claim(s) _____ is/are objected to.
8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.
10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    a)☐ All   b)☐ Some * c)☐ None of:
        1.☐ Certified copies of the priority documents have been received.
        2.☐ Certified copies of the priority documents have been received in Application No. _____.
        3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *07/03/08*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

1.   This office action is in response to applicant's supplemental amendment filed, 03

July 2008, of application filed, with the above serial number, on 10 January 2002 in

which claims 49, 52 and 59 have been amended. Claims 49-59 are pending in the

application.

Claim Rejections - 35 USC § 103

2.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

3.   Claims 49-59 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Himmelstein et al (hereinafter "Himmelstein", 2001/0011270) in view of DeLorme

(hereinafter "DeLorme", 6,321,158), further in view of Labio et al (hereinafter "Labio",

7,089,301).

As per Claim 49, Himmelstein teaches a method for creating a geographically bounded

network of computers comprising the steps of:

creating and maintaining a list of attribute bounded electronic addresses

representing a plurality of indexable electronic documents, on a computer network, that

are associated with a geographically bounded region, where the computer network is

the Internet (at least paragraph 2, 18-21; index with geocoding; WWW);

identifying a plurality of computers associated with the geographically bounded

region (at least paragraph 70-75);

in response to receiving a geographically bounded request from one of the

computers, assigning one or more geographically bounded electronic addresses from

the geographically bounded list (at least paragraph 70-75; search query);

sending the assigned geographically bounded electronic address to the

requesting computer, where the requesting computer processes the assigned

geographically bounded electronic address to index one or more electronic documents

that are obtained through the assigned geographically bounded electronic address (at

least paragraph 70-75; search results);

creating the geographically bounded searchable index of the electronic

documents that are obtained through the assigned geographically bounded electronic

address (at least paragraph 25-32; spidering and indexing).

Himmelstein does not teach storing the geographically bounded searchable

index locally on a local hard drive of a tablet device, where the geographically bounded

searchable index is accessible offline from the local hard drive without accessing the

computer network. However, the use and advantages for using such a system is well

known to one skilled in the art at the time the invention was made as evidenced by the

teachings of DeLorme. DeLorme teaches a portable handheld palmtop pda device

inputting and requesting a map or area of interest and downloading from an Internet

connected remote Integrated Routing/Mapping Information System (IRMIS), a local

IRMIS map set being downloaded for portable use, and including at least routes and

POI's (at least col. 7:1-4; 8:25-52; 51:24-55). Therefore, it would have been obvious to

one of ordinary skill in the art, at the time the invention was made, to incorporate the

use of DeLorme's downloaded offline geographic locations into Himmelstein as this

would enhance Himmelstein's system to be performed when the user is in the vicinity

and not connected online to a network, and as the technique for improving a particular

class of devices was part of the ordinary capabilities of a person of ordinary skill in the

art, in view of the teaching of the technique for improvement in other situations.

Himmelstein and DeLorme do not explicitly teach the computers to perform

distributed processing tasks to enable the creation of a geographically bounded

searchable index of electronic documents. However, the use and advantages for using

such a system is well known to one skilled in the art at the time the invention was made

as evidenced by the teachings of Labio. Labio teaches a distributed peer-to-peer

network wherein a host (peer) selection for the peer-to-peer network is based on

rankings which include geography or physical location of the hosts, with the hosts each

hosting data and producing and processing an index of documents on the network (at

least col. 4:43-52; 5:24-62; 4:65-5:3; 2:57-67). Therefore, it would have been obvious to

one of ordinary skill in the art, at the time the invention was made, to incorporate the

use of Labio's distributed processing network with Himmelstein and DeLorme, as Labio

teaches the transfer of information between distant hosts is inefficient as the time required to search and download the files may become too long.

As per Claim 50. The method of claim 49 further comprising receiving the processed result from the requesting computer (at least paragraph 25-32; 70-74).

As per Claim 51. The method of claim 49 wherein the geographically bounded region is automatically generated based upon a physical address selected from at least one of a group consisting of: a city, a zip code, a longitude, a latitude, an altitude, a telephone area code, an informal destination and an area relative to a location (at least paragraph 30-32).

As per Claim 52. The method of claim 49 wherein the the geographically bounded region is based upon a computer address (at least paragraph 70-74).

As per Claim 53. The method of Claim 49 wherein the attribute is a topical boundary (at least paragraph 32-47).

As per Claim 54. The method of claim 49 wherein the network is the Internet and the electronic addresses are represented as Uniform Resource Locators (at least paragraph 70-74).

As per Claim 55. The method of claim 49, wherein the step of assigning includes overlapping the assignment of geographically bounded electronic addresses to multiple requesting computers (at least paragraph 82-101).

As per Claim 56. The method of claim 49 wherein assigning one or more geographically

bounded electronic addresses from the geographically bounded list further includes:

   matching at least one of the electronic addresses in the geographically bounded

list to at least one attribute from the geographically bounded request; and in response to

determining that no electronic addresses in the geographically bounded list matches

any attribute from the geographically bounded request, assigning an electronic address

from the geographically bounded list that does not match the geographically bounded

request from the requesting computer (at least paragraph 70-84).

As per Claim 57. The method of claim 49 wherein processing step comprises: spidering,

on the requesting computer, the distributed electronic address (at least paragraph 25-

27).

As per Claim 58. Himmelstein and DeLorme do not teach wherein the plurality of

computers uses peer-to-peer technology to form a virtual community associated with

the geographically bounded region. However, the use and advantages for using such a

system is well known to one skilled in the art at the time the invention was made as

evidenced by the teachings of Labio (at least col. 4:43-52; 5:24-62; 4:65-5:3; 2:57-67).

Therefore, it would have been obvious to one of ordinary skill in the art, at the time the

invention was made, to incorporate the use of Labio's distributed processing network

with Himmelstein and DeLorme, as Labio teaches the transfer of information between

distant hosts is inefficient as the time required to search and download the files may

become too long.

As per Claim 59, Himmelstein teaches a method for creating a geographically bounded

network of computers comprising:

identifying a plurality of computers associated with a geographically bounded

attribute to create a geographically bounded network of computers (at least paragraph

2, 18-21; index with geocoding; WWW);

maintaining a list of geographically bounded electronic addresses representing a

plurality of indexable electronic documents that are associated with the geographically

bounded attribute, the indexable electronic documents being webpages on the Internet

(at least paragraph 18-21; index with geocoding);

assigning electronic addresses from the geographically bounded list to

computers in the geographically bounded network of computers (at least paragraph 70-

75; search query); and

in response to receiving the assigned electronic addresses from the

geographically bounded list, indexing by computers in the geographically bounded

network of computers, one or more electronic documents having geographically

bounded electronic addresses (at least paragraph 70-75; search results).

creating a geographically bounded searchable index of the electronic documents

(at least paragraph 25-32; spidering and indexing).

Himmelstein does not teach storing the geographically bounded searchable

index on a tablet device, where the geographically bounded searchable index is

accessible offline without accessing the computers in the geographically bounded

network of computers. However, the use and advantages for using such a system is

well known to one skilled in the art at the time the invention was made as evidenced by

the teachings of DeLorme. DeLorme teaches a portable handheld palmtop pda device

inputting and requesting a map or area of interest and downloading from an Internet

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would enhance Himmelstein's system to be performed when the user is in the vicinity

and not connected online to a network, and as the technique for improving a particular

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Himmelstein and DeLorme do not explicitly teach the computers to perform

distributed processing tasks to enable the creation of a geographically bounded

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such a system is well known to one skilled in the art at the time the invention was made

as evidenced by the teachings of Labio. Labio teaches a distributed peer-to-peer

network wherein a host (peer) selection for the peer-to-peer network is based on

rankings which include geography or physical location of the hosts, with the hosts each

hosting data and producing and processing an index of documents on the network (at

least col. 4:43-52; 5:24-62; 4:65-5:3; 2:57-67). Therefore, it would have been obvious to

one of ordinary skill in the art, at the time the invention was made, to incorporate the

use of Labio's distributed processing network with Himmelstein and DeLorme, as Labio teaches the transfer of information between distant hosts is inefficient as the time required to search and download the files may become too long.

Response to Arguments

4.　　Applicant's arguments with respect to claims 49-59 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

5.　　Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

　　A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

6.   The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Previously cited Hubbarb (tablet, table 2), Hougaard et al (col. 5:18-32; local geographic indexing from Internet), Drury et al (col. 19; in-vehicle located database downloading route information from server and closing server session), Culliss, Dunworth et al, Malone et al, Carrasco et al, Lee et al, Jindal, and Logan are cited for disclosing pertinent information related to the claimed invention. Applicants are requested to consider the prior art reference for relevant teachings when responding to this office action.

7.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to GREGORY G. TODD whose telephone number is (571)272-4011. The examiner can normally be reached on Monday - Friday 9:00am-6:00pm w/ first Fridays off.

        If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on (571)272-4001. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

/G. G. T./
Examiner, Art Unit 2457

/ARIO ETIENNE/
Supervisory Patent Examiner, Art Unit 2457